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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/708,891	03/30/2004	Satoshi Kitamura	SIC-04-007	2890
29863 7	2590 06/30/2006		EXAMINER	
DELAND LAW OFFICE			LUM VANNUCCI, LEE SIN YEE	
P.O. BOX 69 KLAMATH RIVER, CA 96050-0069		ART UNIT	PAPER NUMBER	
			3611	
			DATE MAILED: 06/30/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/708,891	KITAMURA, SATOSHI				
Office Action Summary	Examiner	Art Unit				
•	Lee Lum	3611				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period was preply received by the office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be timed within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 12 M	ay 2006.					
2a)⊠ This action is FINAL . 2b)☐ This	action is non-final.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed. 6) Claim(s) all is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/o 	wn from consideration.					
Application Papers						
9)☐ The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the						
Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Ex						
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
Attachment(s)	Λ\	(DTO 442)				
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:					

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DETAILED ACTION

- 1. An Amendment was filed 5/12/06.
- 2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 4-20 are rejected under 35 U.S.C. 102(e) as being anticipated Mackinnon, GB 2161040 A.

Mackinnon discloses a bicycle power supply apparatus, as disclosed at least in <u>fig 3</u>, and p2, ln 12-59, comprising

Battery 12

which is charged from alternator 11, or second battery/capacitors C-sub-1,2, and, has second terminal connected to ground (fig 3),

Bicycle-condition detector B, including voltage sensor, switch, and resistance (p2, In 25-27), detecting a selected condition that ordinarily does not require current from the battery (p1, In 125-127),

including a condition in which the bicycle is stopped (p1, ln 127),

Voltage decreasing unit/current-drawing unit C that decreases voltage/draws current from the battery when the condition detector detects the selected condition (p1, ln 125-127), including

Display/(electrical auxiliaries) lights (p1, In 10-11), and,

Resistors R-sub-5 to sub-8 connected to the first and second battery terminals (fig 3),

Wherein

the voltage decreasing unit controls motor driver 11, and,

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input switch RL1 (p2, In 19-27) coupled to the first battery terminal, and is opened by the current-drawing unit when the condition detector detects the selected condition.

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mackinnon in view of Hideki, Jap. Abstract 09-271102.

Mackinnon discloses the elements as provided above, but does not disclose the stopped condition as existing for a predetermined time period. Hideki shows this arrangement in a similar circuit, in section 57; "when the vehicle stopping time for 30 minutes or more is detected".

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this configuration, as shown in Hideki, to further provide voltage protection when the stopped condition is for a certain time period, thus also protecting the electrical auxiliaries while in this situation.

4. RESPONSE TO REMARKS

Examiner reiterates her rejections for all Claims. Applicant's remarks have been considered, but are nonpersuasive, specifically re Claim 1. Here, MacKinnon clearly obviates the limitations because it clearly <u>discloses</u> "decreasing battery voltage when the conditiondetecting unit detects the selected condition", and in addition to "supply of voltage from the battery when the vehicle is at a suitable speed", as noted by Applicant. The Claim does not exclude additional functions.

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Additionally, the last limitation in the Claim does <u>not require</u> that the "battery voltage will [have decreased by a certain time]", as asserted in the last paragraph on p6. This limitation does not include language referring to a time period/constraint with the "decrease in battery voltage".

Therefore, the rejections are proper, and are maintained.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Communication with the Examiner/USPTO

Any inquiry concerning this communication, or others, should be directed to Ms. Lum at 571 272-6649, M-F, 9-5. If she cannot be reached, her supervisor, Ms. Lesley Morris, may be reached at 571 272-6651. Our central fax number is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System. For unpublished applications - private PAIR only. For published applications - private or public PAIR. For more information re PAIR - http://pair-direct.uspto.gov. Questions re private PAIR - contact the Electronic Business Center (EBC) at 866 217-9197.

Ms. Lee S. Lum-Vannucci Examiner

6/21/06

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